

REMARKS

Reconsideration of the present application as amended is respectfully requested. Claims 1, 15, and 29 have been amended. Claims 1-43 are currently pending.

The Response To Arguments section of the Office Action indicates that "Applicant argues that the cited reference (Dymetman) identifies the location of a cell on a page and teaches that a complete cell must be within the region of the page from whose image a page identifier and location code are to be obtained." The Office Action asserts that "Dymetman, discloses that the same data as in Fig. 5A is represented by markings as shown in Fig. 5B and page identifier and location code can be encoded from these markings (col. 13, line 33 through col. 44, line 45)." The Office Action further indicates that "for the reasons stated, examiner maintains his rejection." Column 13, line 33 to column 44, line 45 of Dymetman describes examples of encoding digital data using DataGlyph marking. Dymetman further describes use of a first set of glyphs to encode a page-identifier, and a second set of glyphs to encode a location code.

Claims 1-43 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,652,412 to Lazzouni et al. ("Lazzouni") and further in view of U.S. Patent No. 6,330,976 to Dymetman et al. ("Dymetman"). Regarding independent claim 1, the Office Action refers to column 4, line 8 through column 6, line 65 of Lazzouni as describing "a reading sensor (70) for detecting at least a portion of information printed on a surface and an associated portion of an address pattern included on the surface, wherein a position of the reading sensor relative to the address pattern can be determined from the detected portion of the address pattern, said reading sensor operating to forward the detected portion of the printed information and the detected portion of the address pattern associated therewith." Lazzouni describes an information recording apparatus which includes an encoded paper, an electrooptical writing pen, and a recording unit. Lazzouni further describes that the encoded paper is encoded with narrow lines, preferably printed with infrared inks, which define pixels that when printed on paper are invisible to the human eye.

The Office Action acknowledges that Lazzouni does not explicitly disclose detecting a portion of an address pattern included on a surface. However, the Office Action asserts that Figures 1, 2, 6A, and 9 and column 12, lines 59-67, column 17, lines 36-38, and column 23, line 46 to column 24, line 64 of Dymetman describes detecting a portion of an address pattern. The

Office Action further asserts that it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to include the teachings of Dymetman in Lazzouni's system to enhance the design. Similar arguments are made in the Office Action with respect to independent claims 15 and 29 as those made with respect to independent claim 1.

Independent claim 1 has been amended to include the features of "a reading sensor for detecting at least a portion of information printed on a first layer of a surface and an associated portion of an address pattern included on a second layer of the surface." Support for the amendments made to independent claim 1 can be found at at least Figure 11 and page 45, line 17 to page 49, line 18 of the application as originally filed. Applicant respectfully submits that neither Lazzouni nor Dymetman teaches or suggests detecting at a least a portion of information printed on a first layer of a surface and an associated portion of an address pattern included on a second layer of the surface as found in independent claim 1. Applicant respectfully submits that independent claim 1 as amended distinguishes over Lazzouni in view of Dymetman and requests that the 35 U.S.C. 103(a) rejection of independent claim 1 be withdrawn.

Independent claim 15 has been amended to include the features of "a formatted surface including an address pattern and printed information, wherein a position relative to the address pattern can be determined from an examination of only a portion of the address pattern; wherein the printed information is included on a first layer of the formatted surface, and the address pattern is included on a second layer of the formatted surface." Support for the amendments made to independent claim 15 can be found at at least Figure 11 and page 45, line 17 to page 49, line 18 of the application as originally filed. Applicant respectfully submits that neither Lazzouni nor Dymetman teaches or suggest a formatted surface having printed information included on a first layer and an address pattern included on a second layer as found in independent claim 15. Applicant respectfully submits that independent claim 15 as amended distinguishes over Lazzouni in view of Dymetman and requests that the 35 U.S.C. 103(a) rejection of independent claim 15 be withdrawn.

Independent claim 29 has been amended to include the features of "detecting at least a portion of an image on a first layer of a surface" and "detecting a portion of an address pattern depicted on a second layer of the surface, the detection of the portion of the address pattern

performed substantially concurrently with the detection of the portion of the image, said detected portion of the address pattern corresponding to the detected portion of the image." Support for the amendments made to independent claim 29 can be found at at least Figure 11 and page 45, line 17 to page 49, line 18 of the application as originally filed. For similar reasons as those discussed with respect to independent claim 1, Applicant respectfully submits that neither Lazzouni nor Dymetman teach or suggest these features of independent claim 29. Applicant respectfully submits that independent claim 29 as amended distinguishes over Lazzouni in view of Dymetman and requests that the 35 U.S.C. 103(a) rejection of independent claim 29 be withdrawn.

Claims 2-14, 16-28, and 30-43 are dependent upon and include the features of independent claims 1, 15, and 29, respectively. For at least the reasons discussed with respect to independent claims 1, 15, and 29, Applicant respectfully submits that claims 2-14, 16-28, and 30-43 also distinguish over Lazzouni in view of Dymetman and requests that the 35 U.S.C. 103(a) rejection of claims 2-14, 16-28, and 30-43 be withdrawn.

In view of the above amendment, Applicant believes the pending application is in condition for allowance.

Dated: April 12, 2005

Respectfully submitted,

By 

Michael W. Maddox

Registration No.: 47,764

JENKENS & GILCHRIST, A PROFESSIONAL
CORPORATION

1445 Ross Avenue, Suite 3200

Dallas, Texas 75202

(214) 855-4500

Attorneys For Applicant